

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

CLAY COUNTY REHABILITATION)
CENTER, Inc., an Illinois not-for-profit)
corporation,)

Plaintiff,)

v.)

Case No. 05-CV-4035-JPG

PINE LAWN, d/b/a PINE LAWN MANOR;))
SAINT SIMONS HEALTH CARE, L.L.C.,)
d/b/a, PINE LAWN MANOR; NATIONAL)
ASSISTANCE BUREAU, Inc., d/b/a)
PINE LAWN MANOR; CHRISTOPHER)
BROGDON; and REGINALD)
STRICKLAND)

Defendants.)

ORDER

GILBERT, District Judge:

This matter comes before the Court on the parties' Stipulation For Dismissal with Prejudice (Doc. 9). Though the parties characterize this document as "a motion for dismissal by the parties," the Court construes this as a stipulation of dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii). This stipulation has been signed by all the parties. Rule 41(a)(1)(ii) allows dismissal by a plaintiff without a court order by filing such a stipulation. The parties are free to include in their stipulation the terms and conditions they deem necessary. The Court notes the stipulation is with prejudice and that the parties acknowledge any claims for reimbursement for services rendered by plaintiff after June, 2005, are specifically reserved and are not subject to their stipulation. The Court finds that this action is **DISMISSED with prejudice** and **DIRECTS** the Clerk of Court to enter judgment accordingly.

IT IS SO ORDERED.

Dated: October 21, 2005.

/s/ J. Phil Gilbert
J. PHIL GILBERT
U.S. District Judge